

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

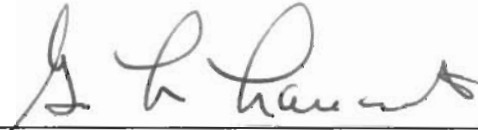
CALGON CARBON CORPORATION,)	
)	
Plaintiff,)	
)	
vs.)	Civil Action No. 98-72
)	Judge Gary L. Lancaster/
POTOMAC CAPITAL INVESTMENT)	Magistrate Judge Amy Reynolds Hay
CORPORATION, a Delaware)	
corporation, PROGRESS CAPITAL)	
HOLDINGS, INC., a Florida)	
corporation, FLORIDA PROGRESS)	
CORPORATION, a Florida)	
corporation, and WILLIAM H.)	
ROONEY,)	
)	
Defendants.)	Re: Doc. 268

ORDER

AND NOW, this 3rd day of Aug, 2005, after the plaintiff,

Calgon Carbon Corporation, filed an action in the above-captioned case, and after defendants Potomac Capital Investment Corporation, Florida Progress Corporation and Progress Capital Holdings, Inc. filed a motion for summary judgment, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and upon consideration of the objections filed by defendants, and the response to those objections filed by plaintiff, and upon independent review of the motion and the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS ORDERED that the motion for summary judgment filed by defendants Potomac Capital Investment Corporation, Florida Progress Corporation and Progress Capital Holdings, Inc. is denied.



GARY L. LANCASTER
United States District Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

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